Borrego Water District Board of Directors Regular Meeting November 12, 2019 @ 9:00 a.m. 806 Palm Canyon Drive Borrego Springs, CA 92004

I. OPENING PROCEDURES

- **A.** Call to Order:
- **B.** Pledge of Allegiance
- C. Roll Call
- **D.** Approval of Agenda
- E. Approval of Minutes
 - 1. October 08, 2019 Special Board Meeting
 - 2. October 22, 2019 Regular Board Meeting
- F. Comments from the Public & Requests for Future Agenda Items (may be limited to 3 min)
- **G.** Comments from Directors
- **H.** Correspondence Received from the Public:

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

- A. Borrego Water District
 - 1. Air Quality Monitoring Interim Funding K Dice/G Poole
 - 2. Prop One/68 Land Acquisition Grant Update R Alexander/G Poole
 - 3. Board Meeting Schedule for November and December 2019 G Poole
- B. Borrego Spring Sub Basin
 - 1. Update on Release of Stipulated Agreement Between Borrego Springs Pumpers G Poole
 - a. Overview of how public input has been handled in other adjudicated basins
 - b. Discussion of Public Meeting Schedule and Structure for 30-day review period
 - 2. Update on Well Count in Borrego Springs Sub Basin M Panchal, VERBAL
- C. Status Update and Verbal Discussion of:
 - 1. Critical Overdraft Plan Development
 - 2. Proposition 218 Study Progress
 - 3. Water Quality Monitoring Plan Progress
 - 4. RH agreement for Spare Capacity
 - 5. BS Basin Ground Water Monitoring Program (including well abandonment)
 - 6. Status of Independent Cyber Security Evaluation
 - 7. Status of RH flood control facilities
 - 8. Status of GSP Development Costs Reimbursement

AGENDA: November 12, 2019

All Documents for public review on file with the District's secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004

Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole – Board Secretary at (760) 767 – 5806 at least 48 hours in advance of the start of this meeting, in order to enable the District to make reasonable arrangements to ensure accessibility.

If you challenge any action of the Board of Directors in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Directors (c/o the Board Secretary) at, or prior to, the public hearing.

III. STANDING AND AD-HOC BOARD COMMITTEE REPORTS –

- A. STANDING:
 - 1. Operations and Infrastructure Delahay/Duncan
- B. AD-HOC:
 - 1. SGMA Compliance Brecht/Duncan
 - 2. Risk Brecht
 - 3. Grant Funding Dice/Johnson
 - 4. Association of California Water Agencies/Joint Powers Authority Dice/Johnson
 - 5. Organizational Staffing Dice/Duncan
 - 6. Prop 218 Preparation Brecht
 - 7. Air Quality Monitoring K Dice

IV. STAFF REPORT

- A. Financial Reports: Deferred to December 2019 Regular Meeting
- B. Water and Wastewater Operations Report: Deferred to December 2019 Regular Meeting
- C. Water Production/Use Records: Deferred to December 2019 Regular Meeting

v. **CLOSED SESSION:**

- A. Conference with Legal Counsel Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Section 54956.9: (Three (3) potential cases)
- B. Replacement Well Number Two Site Conference with Real Property Negotiators (Gov. Code § Section 54956.8) Property APN: APN 198-021-08, 77.95 acres BWD Negotiator: Geoff Poole Negotiating Parties: Geoff Poole, General Manager and Owner: Borrego Nazareth Under Negotiation: Price and Terms of Payment
- C. Cyber Security Government Code, section 54957(a)
- D. Performance Evaluation of General Manager: GM Performance Review Conference for Public Employee Performance Evaluation Title: General Manager Employee Performance Review- pursuant to subdivision (d) (4) of Government Code Section (Government Code § 54957)

VI. CLOSING PROCEDURE

- A. Suggested Items for Next/Future Meeting Agenda
- B. The next Regular Meeting of the Board of Directors is scheduled for December 17, 2019 at 9 am

AGENDA: November 12, 2019

All Documents for public review on file with the District's secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004

Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

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Borrego Water District Board of Directors MINUTES

Special Meeting October 8, 2019 @ 9:00 a.m. 806 Palm Canyon Drive Borrego Springs, CA 92004

I. OPENING PROCEDURES

A. <u>Call to Order:</u> President Dice called the meeting to order at 9:00 a.m.

B. <u>Pledge of Allegiance:</u> Those present stood for the Pledge of Allegiance.

C. Roll Call: <u>Directors:</u> <u>Present:</u> President Dice, Secretary/Treasurer

Duncan, Delahay, Johnson

Absent: Vice-President Brecht

Staff: Geoff Poole, General Manager

Wendy Quinn, Recording Secretary

Public: Meet Panchal Bob Krasowski

Trey Driscoll, Dudek Gary Haldeman

D. <u>Approval of Agenda:</u> Geoff Poole reported that Suzanne Lawrence had asked to postpone her presentation on the Watershed Alliance (Item II.A.3) until the next Board meeting. *MSC: Delahay/Duncan approving the Agenda as amended.*

- E. Comments from the Public and Requests for Future Agenda Items: None
- **F.** Comments from Directors: None
- **G.** Correspondence Received from the Public: None

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

A. Borrego Water District:

- 1. Consideration of Plan to Identify Improperly Abandoned Wells. Director Duncan reported on a field trip to Viking Ranch that he took with President Dice and Mr. Poole. Dudek had reported materials stored on the Lundberg property, and they discovered 300 to 400 gallons of something that has since been removed. This raised the issue of how many other sites around the basin had similar situations. Contaminants could be entering the aquifer. The County Department of Environmental Health has indicated it is not their responsibility, but Director Duncan felt it was a public health issue. The County has provided a list of all permitted wells since the 1970s, and he recommended the District conduct an audit. Trey Driscoll pointed out that Dudek has already done a lot of this work, and offered to provide his database to Director Duncan. Mr. Driscoll had already persuaded a number of property owners to remove contaminants from their property. Mr. Poole noted that the District has a pending grant application to repurpose ten improperly abandoned wells, and he would like to at least get a list of the "top ten" potentials. He agreed to meet with Mr. Driscoll and Meet Panchal before the next Board meeting to recommend the next steps.
- 2. Ocotillo Wells Solar Project Construction Water: UPDATE. Mr. Poole referred to the prior request from The Gildred Company for approximately 40 acre-feet of water during construction of a solar project in Ocotillo Wells. The proposed agreement was changed to provide for a non-refundable deposit instead of water credits, the amount was changed from \$25,000 to \$28,000, and the District will own the infrastructure near the 900 tank which is needed to deliver the water. The Gildred Company made minor changes to the designation of their company name (changed to Ocotillo Solar LLC). President Dice noted that the contractor still needs mitigation, and has looked to the State Park or the Bureau of Reclamation. They have 300 acres to donate. The State Park is not interested, but since the acreage is adjacent to BOR land, that could be a good option. Mr. Poole stated that the agreement is ready for President Dice's signature, and the Board concurred.

B. Borrego Springs Sub Basin:

- 1. GSP Update.
- a. Groundwater Sustainability Plan Advisory Committee Meeting review. Mr. Poole announced that Friday was the final meeting of the Advisory Committee, and a consensus vote was taken on the draft final GSP. Two voted 6 (needs more work before consensus can be achieved), and the rest voted 2 (the decision is acceptable/best option) or 3 (I can live with the decision/not enthusiastic). The two the voted 6 were concerned about underestimated recharge, and there was confusion about the GSP versus the Stipulation.
- Report from BWD Ratepayer Representative G. Haldeman. Gary Haldeman stated he plans to continue working with the ratepayers, let them know the status of the GSP or Stipulation, and distribute e-mails. He wants to be part of the Stipulation process. President Dice reiterated that people are confused about the Stipulation. Mr. Haldeman pointed out that they need to understand we are not throwing out the GSP. It will be submitted to a different part of the DWR to secure grant funding, and if the Stipulation falls through, BWD could become a single-point GSA or have the State take over groundwater management. If the Stipulation is approved, the GSP will be attached as the Groundwater Management Plan. The Stipulation still needs to comply with SGMA, and it has more specifics than the GSP. Mr. Driscoll noted that Borrego is the first basin to adopt a GSP or Stipulation. Bob Krasowski expressed concern that the AC put a lot of work into the GSP and now it appears the Stipulation will replace it. He questioned why the GSP was concluded before the Stipulation was finalized. Director Delahay explained the two types of adjudication, and the fact that they had always been options under SGMA and before. Director Duncan explained that the Stipulation negotiations just began this year, and it would provide more details of how sustainability will be achieved and avoid litigation. Mr. Haldeman said he had explained to the ratepayers that the GSP and the Stipulation were parallel processes, and that some AC members were on the Stipulation negotiating team, but not all. There was some dissatisfaction with this. He also felt it was unfortunate that BWD was not allocated at least 1,700 acre-feet per year of untouchable water. Mr. Haldeman apologized to President Dice for his comments earlier this year, and she accepted. Director Delahay pointed out that the Board members involved in the negotiations are also ratepayers.
- ii. Letter of Appreciation for Gary Haldeman. President Dice presented a letter of appreciation to Mr. Haldeman for all his work as Ratepayer Representative.
- b. Groundwater Sustainability Plan Public Hearing Notice Schedule. Mr. Poole explained that the Board needs to maintain options in case the Stipulation is not approved, i.e. the GSP approval process. A public hearing is required before Board approval, with a 90-day notice. It will be scheduled for one of the January meetings, and the date will be announced at the next Board meeting. President Dice asked what would happen if the Stipulation is approved during the 90-day notice period, and Director Duncan explained that there would be a 60-day DWR comment period and a 30-day BWD comment period on the Stipulation. The public hearing on the GSP would be cancelled. Director Johnson asked about a letter that was to be sent to all ratepayers by BWD regarding the Stipulation. Director Duncan explained that BWD technically has to sue the ratepayers, and Director Johnson recommended alerting them ahead of time.
- c. Consideration of response to County of San Diego position on GSA Involvement. Mr. Poole reported that at the last AC meeting, Jim Bennett announced that at the October 16 Board of Supervisors meeting, he would recommend that the County remove itself from the GSA. Mr. Poole recommended that BWD respond, and that the response concentrate on their participation in the WaterMaster Board. This is important because of the County's land use responsibilities. President Dice recommended preparing a letter to the Board of Supervisors saying BWD will be disappointed if the County leaves the GSA, but hopes they will serve on the WaterMaster Board; and give reasons (land use input is importent). *MSC: Duncan/Delahay requesting Mr. Poole to work with Directors Duncan and Brecht to draft the letter*. Director Duncan suggested requesting a recommendation from the Stewardship Council.

C. Status Update and Verbal Discussion of:

- 1. Critical Overdraft Plan Development. This item was covered previously.
- 2. BWD Bond Financed Projects. A report on projected expenditures was included in the Board package.
- a. Club Circle Sewerline Cleaning. Mr. Poole reported that an insignificant root ball was discovered and has been removed. Nothing else was in need of repair.
 - 3. Proposition 218 Study Progress.
- a. Discussion of Rates. Mr. Poole reported that he and Kim Pitman would be meeting on the cost of service to be used in the rate structure next week.
- 4. Water Quality Monitoring Plan Progress. Mr. Poole reported that Jay Jones had been working with the State on a grant for new monitoring wells. The next round of monitoring will be done in house instead of using GeoSyntec. Proposals have been requested from Dr. Jones and GeoSyntec on interpreting the results, and Mr. Poole hoped to have them by the next meeting.
- 5. RH agreement for Spare capacity. The District is continuing to deliver 300 gallons a minute to Rams Hill, except between 4:00 and 9:00 p.m. because of the high SDG&E rate.
- 6. BS Basin Groundwater Monitoring Program (including well abandonment). Staff is continuing to work on gathering well abandonment information.
- 7. Status of Independent Cyber Security Evaluation. Mr. Poole reported that the cyber security evaluation is taking place this week. Results will be reported at the next meeting in closed session.
- 8. Status of RH flood control facilities. Dudek has submitted a quote for inspecting the Rams Hill flood control facilities. Mr. Poole believed every two years would be sufficient unless there are problems.
- 10. Status of GSP Development Costs Reimbursement. Mr. Poole reported that the pumpers had been discussing including GSP development cost reimbursement in future pumping fees. This provision would ultimately be an attachment to the Stipulation so that BWD will be paid back for expenses required by SGMA and having basinwide benefits.
- 11. Return on invested capital for WWTP solar project. This item was deferred to the next meeting.
- 12. BWD Board Strategy FY 2020. Director Brecht's proposed 2020 Board strategy was included in the Board package.
- 13. October 2019 To Do List. The October 2019 To Do List was included in the Board package.

III. CLOSED SESSION

- **A.** Conference with Legal Counsel Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Government Code Section 54956.9 (Three (3) potential cases):
- **B.** Performance Evaluation of General Manager: GM Performance Review Conference for Public Employee Performance Evaluation Title: General Manager Employee Performance Review pursuant to subdivision (d)(4) of Government Code Section 54957:

The Board adjourned to closed session at 10:50 a.m., and the open session reconvened at 11:45 a.m. There was no reportable action.

IV. CLOSING PROCEDURE

- **A.** <u>Suggested Items for Next/Future Agenda:</u> Items for the next Agenda were discussed earlier in the meeting.
- **B.** The next Regular Meeting of the Board of Directors is scheduled for Tuesday, October 22nd @ 9:00. There being no further business, the Board adjourned at 11:45 a.m.

Borrego Water District Board of Directors MINUTES

Regular Meeting October 22, 2019 @ 9:00 a.m. 806 Palm Canyon Drive Borrego Springs, CA 92004

II. OPENING PROCEDURES

A. <u>Call to Order:</u> President Dice called the meeting to order at 9:00 a.m.

B. Pledge of Allegiance: Those present stood for the Pledge of Allegiance.

C. <u>Roll Call:</u> <u>Directors:</u> <u>Present:</u> President Dice, Secretary/Treasurer

Duncan, Delahay, Johnson

Absent: Vice President Brecht

Staff: Geoff Poole, General Manager

Wendy Quinn, Recording Secretary

<u>Public:</u> Bob Krasowski Michael Sadler, *Borrego Sun*

Meet Panchal
Kelly Rodgers,
SDCWA
Betsy Knaak,
ABDNHA
Harry Turner, Rams Hill
Juanita Hayes, SDCWA
Dan Deadham, SDCWA
Rick Alexander, TRAC
Danielle Dolan, Local

Government Commission (via teleconference, Item

II.A.3 only)

D. Approval of Agenda: *MSC*: *Delahay/Duncan approving the Agenda as written*.

E. Approval of Minutes:

- 1. September 10, 2019 Special Board Meeting
- 2. September 24, 2019 Regular Board Meeting

MSC: Johnson/Duncan approving the Minutes of the Special Meeting of September 10, 2019 and the Regular Meeting of September 24, 2019 as written.

- **F.** Comments from the Public and Requests for Future Agenda Items: None
- G. Comments from Directors: Director Duncan reported that there is continuing concern in the community regarding the possible loss of grant opportunities in the event Borrego becomes an adjudicated basin under the pending Stipulation. He pointed out that that giving up a "maybe" GSP implementation grant is far outweighed by the advantages of a stipulated judgment i.e. avoiding a possible adversarial adjudication and associated high costs. Mr. Poole felt there was still a chance that some agency, perhaps BWD rather than the proposed WaterMaster Board, would qualify for the grants, and the public needs to be reminded of this. He will work with Director Duncan to prepare an e-mail response on the issue.
 - **H.** Correspondence Received from the Public: None

II. ITEMS FOR BOARD CONSIDERATION AND POSSIBLE ACTION

A. Borrego Water District:

1. San Diego County Water Authority Regional Conveyance System Study. Mr. Poole reported that the SDCWA had recently acquired some water from Imperial Irrigation District and Coachella Valley. Consultants are studying three different alignment routes to transfer the Colorado River water to San Diego. Dan Denham of SDCWA introduced himself, has background and his organization. He explained that SDCWA currently imports most of its water from the Colorado River via the Metropolitan

Water District, but that source is declining. SDCWA is now importing water from the Imperial Irrigation District, recycling, desalinating, increasing water transfers and lining canals. The cost of providing of water to San Diego over the next 30 years is estimated at \$10 billion, just for transportation.

Of the three alternative importation alignment routes, the northern one would go through Borrego Springs. SDCWA is looking at possible partnerships, and assessing outreach, technical, legal and economic issues. Mr. Denham outlined the three routes. He noted that Imperial Valley is interested in water storage, but the Colorado River water is higher in TDS than BWD's so ways to desalinate it prior to storage are being investigated. A side benefit might be the creation of a habitat in the Salton Sea. Mr. Denham expressed hope that the agencies involved could work together for a long-term solution.

2. Proposition One/68 Grant Opportunity for Water/Land Acquisition. Mr. Poole reported that a new grant program is coming up that might pay for land or water acquisition. He will have more details at the next meeting. Rick Alexander added that the grants are a combination of Propositions 1 and 68 and can be used to acquire land or to acquire water rights associated with land. There will be \$37 million available statewide. To acquire land, there must be a willing seller and the price cannot exceed fair market value. The initial proposals are due November 20. Mr. Alexander will work with Mr. Poole to determine if there is a willing seller.

Mr. Alexander went on to provide an update on the overall grant program. A \$478,000 grant for wastewater treatment plant upgrade from the clean water division of the State Water Resources Control Board has been pending for some time. The State Board had some questions about the District's cultural resource information, which have now been answered. Once the District has provided requested audit information and demonstrated its credit worthiness, funds should be available during the current fiscal year.

The grant application for the drinking water projects, i.e. replacement of the Twin Tanks, Rams Hill Tank #2 and the Wilcox motor, are still being processed and will likely be funded in the next fiscal year. Mr. Alexander explained that two environmental documents are being prepared to accompany all grant applications, which should save time. The Wilcox motor has been deemed noncompliant, so Mr. Poole secured a one-year extension. Mr. Alexander discovered a grant opportunity just for replacing diesel pumps, and he will have an application ready to submit in the spring. It appears the cost of bringing electricity to the site may also be included. Mr. Poole pointed out that if the electricity could be funded, the pump would not need to be replaced, since the issue was it could not be considered a backup pump without electricity. In addition, the pump is now being used less than the minimum time required by the State.

Mr. Alexander went on to report on his research into updating the District's 2009 Integrated Regional Water Management plan. This is required for some grant opportunities, but there is a lot of competition for those funds. Considerations include the cost of updating the IRWM (whether to do it in house or hire a consultant) and whether other avenues are available to more easily fund the projects being considered. Grant funding for SDACs is coming up, \$500,000 for planning and \$5 million for implementation of SDAC-related projects. Mr. Poole and President Dice have been assessing the practicality of updating the IRWM, and Mr. Poole was leaning toward doing it. A lot of the information missing from the '09 plan is in the GSP.

3. Verbal Update – Integrated Planning Update & CWMP Grant. Danielle Dolan of the Local Government Commission outlined the April workshop, "Resort Town Reimagined," which focused on integrated planning involving BWD, the County and the community. The Stewardship Council has been working on geotourism for five years, and integrated planning is the next phase. Following the April workshop, subcommittees were formed to address the water budget, hospitality, sustainable community development, needs assessment, economy, GSP compliance and community landscape. Participants include LGC, the Borrego Valley Association, LeSar Development, the San Diego Regional EDC, the Sponsor Group, the Landscape Survey, ABF, ABDNHA, the Borrego Art Institute and others.

Ms. Dolan reported that the group was trying to obtain grant funds to develop an Integrated Watershed Master Plan, which would include water quantity and quality, land management and biodiversity. She felt it was important for BWD to participate. A timeline indicated implementation of the plan would take three to five years, and the work is now in the preplanning phase. The outcome would be a shared community vision and roadmap to achieve a vibrant, sustainable and resilient community. The next phase is funding, working with BWD, the Stewardship Council and LGC. Some funding has already been secured. A grant application to the Bureau of Reclamation for a WaterSMART watershed management program is under consideration and would add organizational structure to the Stewardship Council, which would transition to the Anza-Borrego Desert Watershed Alliance. Ms. Dolan expected the Stewardship Council would ask for BWD support.

Bob Krasowski expressed concern about money being spent on studies when a lot of information has already been obtained, citing Supervisor Desmond's work groups. Ms. Dolan replied that money can be saved by using existing information, but it needs to be gathered in one place and consolidated. Mr. Krasowski was concerned about the homeless in San Diego County, and wondered if the money could be better spent on them. Ms. Dolan explained that watershed management funding could not be used to help them.

A. Borrego Springs Sub Basin:

- 1. County Board of Supervisors Meeting Report Regarding GSA Withdrawal. Mr. Poole reported that the Board of Supervisors met last Wednesday and approved a letter to DWR expressing the County's desire to withdraw from the GSA effective December 31, 2019 or upon signing of the Stipulation, whichever occurs first. The County will work with BWD and DWR to find an environmental use for the \$500,000 grant that was originally earmarked for the GSP-related EIRs.
- 2. Borrego Springs Sub Basin Stipulation Schedule Update. Mr. Poole reported that Steve Anderson thinks at least another week is required before the Stipulation is finalized. Once it is released, the 30-day public comment period will begin. President Dice noted that an Executive Summary will be included. Mr. Poole announced that there will be at least one public meeting during the comment period.
- 3. Status Update on Well Abandonment Priority List. Mr. Poole is working with Trey Driscoll to develop a well abandonment priority list.

III. STANDING AND AD-HOC BOARD COMMITTEE REPORTS

- **A.** STANDING:
 - 1. Operations and Infrastructure. No report.
- **B.** AD-HOC:
 - 1. SGMA Compliance. No report.
 - 2. Risk. No report.
 - 3. Grant Funding.
- a. Verbal Update on Grant Opportunities. Mr. Alexander reported he had investigated funding for expansion of the UCI air quality monitoring system. The California Air Resources Board has community air quality grants, and he plans to research that possibility and talk to the people at UCI.
 - 4. Association of California Water Agencies/Joint Powers Authority. No report.
 - 5. Organizational Staffing/Prop 218 Preparation. No report.
 - 6. Air Quality Monitoring. No report.

IV. STAFF REPORTS

A. Financial Reports:

September 2019. Director Delahay reminded staff to be sure to follow the guidelines in the bond funding relative to water versus sewer expenditures. Mr. Poole noted that the AT&T cell tower lease would be coming up soon.

B. Water and Wastewater Operations Report:

September 2019

C. Water Production/Use Records:

September 2019

The Water and Wastewater Operations Report and the Water Production/Use Records were included in the Board package.

V. CLOSED SESSION

- A. Conference with Legal Counsel Significant exposure to litigation pursuant to Government Code paragraph (3) of subdivision (d) of Section 54956.9 (Three (3) potential cases):
- **B.** Replacement Well Number Two Site Conference with Real Property Negotiators (Govt. Code Section 54956.8); Property APN: 199-011-01 Palm Canyon Dr. and Digorgio Rd.

BWD Negotiator: Geoff Poole

Negotiating Parties: Geoff Poole, General Manager and Owner: Dubay

Under Negotiation: Price and Terms of Payment:

The Board adjourned to closed session at 11:50 a.m., and the open session reconvened at 12:15 p.m. There was no reportable action.

VI. CLOSING PROCEDURE

- **A.** Suggested Items for Next/Future Agenda: Items for the next Agenda were discussed previously.
- **B.** The next Meeting of the Board of Directors is scheduled for Tuesday, November 12th @ 9:00. There being no further business, the Board adjourned at 12:15 p.m.

BORREGO WATER DISTRICT BOARD OF DIRECTORS MEETING NOVEMBER 12, 2019 AGENDA ITEM II.A.1

November 7, 2019

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Air Quality Monitoring Interim Funding – K Dice/G Poole

RECOMMENDED ACTION:

Discuss proposed budget and direct staff as deemed appropriate

ITEM EXPLANATION:

BWD has been participating in air quality monitoring for years (with Dr. Charles Zender) and a funding source is needed to keep the Program going. Rick Alexander has identified a potential funding source through California Air Resources Board (CARB) and is continuing his investigation into the possibility. Rick is also looking at other potential opportunities. To avoid a gap in the data, an interim funding source is needed.

BWD receives non water revenue income (tax assessments) that could be used for projects of this type if the Board desires. This funding source of approximately \$60,000/yr has already been tapped for the High School curriculum support (\$10,00). In addition, negotiations are nearing conclusion for a cell tower installation on BWD property and could also provide funding for this project long term if a Grant is not found.

NEXT STEPS

Continue to pursue the CARB Grant and other possible non BWD funding alternatives.

FISCAL IMPACT

See attached Budget (Year One Est = \$64,993)

ATTACHMENT

- 1. Letter from David Garmon on the history and status of AQ Program
- 2. Dr Zender 5 Year Budget

To: BWD Board

From: David Garmon, BVEF Trustee

Re: Air Quality Monitoring System

HISTORY OF PROGRAM

The current Air Quality Monitoring System (AQMS) in the Borrego Valley is a joint effort among the University of California, Irvine, the Borrego Water District, and the Borrego Valley Endowment Fund. This program was established in 2016 under the direction of Dr. Charles Zender, Professor, Department of Earth System Science, University of California, Irvine.

Borrego's AQMS consists of five stationary nephelometers that have been collecting data continuously since the inception of the program in 2016. The data being collected is PM 10 and PM 2.5 (PM = Particulate Matter), as these are the sizes of particulates that are regulated by the Environmental Protection Agency.

During the course of the AQMS program, researchers have established an understanding of baseline conditions of particulates in the Borrego Valley by combing data from the stationary particulate monitoring devices with data from NASA satellites. Additionally, researchers have developed a model of particulate matter transport in the Borrego Valley. And at a public presentation on January 12, 2020 at the Research Center, Dr. Zender et al. will demonstrate the point source attribution capability of the model. It is this point source attribution functionality that will enable us to distinguish air quality variances arising from fallowing, from the Salton Sea, from off road vehicular activity, or from other sources.

REGULATORY RELEVANCE

A central question to the AQMS is: How will the AQMS in the Borrego Valley be of use to Borrego from a regulatory standpoint? To better understand this issue, I have been in touch with the San Diego Regional Air Pollution Control District (APCD) since 2017, and as recently as October 2019 in my capacity as Chair of the Environmental Subcommittee of Supervisor Desmond's Borrego Revitalization Initiative.

It has always been the position of the APCD is that our data cannot be included into the "official EPA data base" because our measurements are made using light dispersion methods, whereas the official measurements are made using mass methods. However, if it can be demonstrated that our measurements are in close alignment with the measurements made with the dramatically more costly, EPA-sanctioned devices, our data would be of compelling interest from a regulatory standpoint.

The burden of proof remains on us to demonstrate that our data is reliable, robust, and consistent with data coming from the EPA-sanctioned devices. Toward this end, the BWD purchased a mobile nephelometer which is presently being used to intercalibrate the stationary devices in the Borrego Valley. Once this process is complete, the mobile device will be used to complete the intercalibration process against an EPA-sanctioned mass nephelometer located in the Imperial Irrigation District. It is this intercalibration process that will demonstrate the reliability of the data collected by our AQMS.

It is worth noting that since the inception of Supervisor Jim Desmond's Borrego Revitalization Initiative, the regional Air Pollution Control District has taken an even more active interest in the Borrego's AQMS.

CURRENT NEED

The current funding for the AQMS will expire on 12/31/19. If funding cannot be secured during the month of November 2019, the Borrego Air Quality monitoring stations will cease to collect PM 2.5 and PM 10 data, which would at a minimum create a data gap until such time as additional funding can be secured. Such a data gap would undermine the robustness and integrity of future conclusions that could be based on our data set.

Given the current efforts to demonstrate to our regional air quality regulators the reliability of our measuring devices and the resultant data, any data gap that would impede these efforts is highly undesirable.

University of California Irvine

PI Charlie Zender

Borrego Water District (BWD)

Title: Monitoring, Analysis, and Modeling Particulate Matter Air Quality in Borrego Springs

Title. Monitoring, Analysis, and Modeling	aı	liculate Mi	allei	All Qualit	Ly III	Don't ego o	pilli	93				
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	12/31/2020			12/31/2021		12/31/2022		12/31/2023			from Agenc	
0.11 4.0150 0.344.050												-
SALARIES & WAGES	•	5 00 7	•	0.005	•	0.405	•	0.554	•	0.005	•	04.055
PI Charlie Zender @ 1 week of summer salary	\$	5,887	\$	6,005	\$	6,125	\$	6,554	\$	6,685	\$	31,255
Associate Sprecialist (Wenshan Wang) FTE @25%	\$	15,075	\$	15,377	\$	15,684	\$	15,998	\$		\$	
Research Associae, Sicco Rood	<u>\$</u>	2,560	<u> </u>	2,611	\$	2,663	\$	2,717	\$	2,771	\$	
Subtotal Salaries & Wages	Ъ	23,522	\$	23,992	\$	24,472	\$	25,268	\$	25,773	Ъ	123,028
EMPLOYEE FRINGE BENEFITS												
Zender @ 9.8% yr1, 10.10% yr2, 10.4% yr3, 10.7% yr4, 11% yr5	\$	577	\$	606	\$	637	\$	701	\$	735.31	\$	3,257
Associate Specialist @ 46.3% yr1, 47.7% yr2, 49.1% yr3, 50.6% yr4, 52.1%	-	6,980	\$	7,335	\$	7,701	\$	8,095	\$	8,502	\$	38,612
Rood @ 46.3% yr1, 47.7% yr2, 49.1% yr3, 50.6% yr4, 52.1% yr5	\$	1,185	\$	1,246	\$	1,308	\$	1,375	\$	1,444	\$	6,557
Subtotal Employee Benefits	\$	8,742	\$	9,187	\$	9,646	\$	10,171	\$	10,681	\$	48,425
		-		-		-		-		-		
TOTAL SALARIES, WAGES & BENEFITS	\$	32,264	\$	33,179	\$	34,118	\$	35,439	\$	36,454	\$	171,454
TRAVEL - Domestic												
One overnight R/T to Borrego for PI and Specialist	\$	500	\$	500	\$	500	\$	500	\$	500	\$	2,500
Mileage	\$	290	\$	290	\$	290	\$	290	\$	290	\$	1,450
TOTAL TRAVEL EXPENSES	\$	790	\$	790	\$	790	\$	790	\$	790	\$	3,950
EQUIPMENT												
Remote Particulate Monitors (2) Includes pm10 and pm2.5	\$	5,600	\$	-	\$	-	\$	-	\$	-	\$	5,600
TOTAL EQUIPMENT	\$	5,600	\$	-	\$	-	\$	-	\$	-	\$	5,600
OTHER DIRECT COSTS												
Battery replacement	\$	837	\$	-	\$	-	\$	_	\$	_	\$	837
Supplies and materials for poster each year	\$	200	\$	200	\$	200	\$	200	\$	200	\$	1,000
Instrument Calibration costs (\$500x7) year 1, 3 & 5	\$	3,500	\$	-	\$	3,500	\$	-	\$	3,500	\$	10,500
Green planet cluster computing fees	\$	360	\$	360	\$	360	\$	360	\$	360	\$	1,800
TOTAL OTHER COSTS	\$	4,897	\$	560	\$	4,060	\$	560	\$	4,060	\$	14,137
	,	,	,		•	,	•		,	,	Ť	, -
TOTAL DIRECT COSTS:	\$	43,551	\$	34,529	\$	38,968	\$	36,789	\$	41,304	\$	195,141
INDIDECT COCTS, 6 mag @ 560/ w// 6 mag with size 0.5 @ 570/	φ		Φ	40.000	Φ	00.040	Φ	00.070	Φ.	00 540 04	ሱ	107 0 10
INDIRECT COSTS: 6 mos @56% yr1, 6 mos yr1, yrs2-5 @ 57%	\$	21,442	\$	19,682	\$	22,212	\$	20,970	\$ 2	23,543.21	\$	107,848
TOTAL COSTS REQUESTED FROM AGENCY:	\$	64,993	\$	54,211	\$	61,180	\$	57,758	\$	64,847	\$	302,989
Base	\$	37,951	\$	34,529	<u> </u>	38,968	\$	36,789	\$	41,304	τ'	,,,,,

BORREGO WATER DISTRICT BOARD OF DIRECTORS MEETING NOVEMBER 12, 2019 AGENDA ITEM II.A.2

November 7, 2019

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Prop One/68 Land Acquisition Grant Update – R Alexander/G Poole

RECOMMENDED ACTION:

Receive update and direct staff prepare for March 2020 Program

ITEM EXPLANATION:

As reported at the October Regular Board Meeting, an opportunity exists where BWD may be able to acquire farmland. The key issues with this Opportunity are to find a willing seller and develop a nexus to the Primary Grant requirements "for multi-benefit ecosystem restoration".

Willing Seller: Staff has identified one "willing" seller with property totaling about 1,200 afy of 2020 Baseline Pumping Allocation. An Appraisal is needed on this property.

Nexus: As previously reported to The Board, a possible in-lieu fee program may be a possibility for the creation of flat tailed horned lizard habitat. Environmental Review of the Project is needed also.

Based on the facts that BWD does not have a purchase agreement (or equivalent) nor environmental review completed on this project, the recommendation is to continue to prepare for submitting an Application when the Program opens again in March 2020. An Application submitted on Nov 20th with these important items missing would potentially not score well compared to others. Staff and our Consultants feel its best to take the extra time and provide an Application next year that is fully complete.

NEXT STEPS

Continue to take steps needed to complete Grant Application for March 2020 schedule.

FISCAL IMPACT

TBD

ATTACHMENT

1. General Information on Current Grant Opportunity

The California Department of Fish and Wildlife (CDFW) is pleased to announce funding opportunities for multi-benefit ecosystem restoration and protection projects under both Proposition 1 and Proposition 68. This Proposal Solicitation Notice (Solicitation) for Proposition 1 Fiscal Year 2020-2021 and Proposition 68 Fiscal Year 2019-2020 focuses on planning, implementation, acquisition, and scientific study projects across multiple priorities outlined herein.

This Solicitation addresses priorities which will contribute to the objectives of Proposition 1 (Water Quality, Supply, and Infrastructure Improvement Act of 2014); Proposition 68 (California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018). In addition, CDFW is seeking projects that contribute to implementation of California Water Action Plan, State Wildlife Action Plan, Sacramento Valley Salmon Resiliency Strategy, Delta Plan, California EcoRestore, Safeguarding California Plan, the California Biodiversity Initiative, and the fulfillment of CDFW's Mission. All qualified, eligible entities are encouraged to submit grant proposals.

Grant Program Guidelines

This Solicitation provides specifics for each grant program described in the Solicitation and Evaluation Guidelines for the Proposition 1 and Proposition 68 Grant Programs. These guidelines were recently updated and provide detailed information not found in this Solicitation regarding: project types, program and funding requirements, budgets, design plans and engineering, qualifications and licensed professionals, labor code requirements, long-term management, environmental compliance and permitting, water law, project monitoring and reporting, data management, the selection process, requirements for awarded grants, invoicing and payments, reporting, standard conditions, and many other general program requirements.

Award Information

- Anticipated total available funding: approximately \$37 million
- \$6 million in Proposition 68 funds, allocated in the Fiscal Year 2019-2020 Budget Act
- \$31 million in Proposition 1 funds dependent upon allocation in the Fiscal Year 2020-2021 Budget Act
- Grant award notifications anticipated in the Spring of 2020
- Grant-funded project work must be completed by:
- March 15, 2022 for Proposition 68 funds (January 1, 2022 for University of 2020

CDFW Proposition 1 & 68 Proposal Solicitation Notice 2020 iv California agreements)

 March 15, 2024 for Proposition 1 funds (January 1, 2024 for University of California agreements)

Eligibility Information

Eligible entities vary slightly between the Proposition 1 and Proposition 68 grant programs. Eligibility for Proposition 1 is defined by California Water Code Sections §79702[p], §79702[s], and §79712. Eligibility for Proposition 68 is defined by Fish and Game Code Section §1501.5[b]. The following entity types are eligible for funding by both grant programs: state and local public agencies within California, federally recognized Indian tribes and State Indian tribes listed on the Native American Heritage Commission's California Tribal Consulation List, and non-profit organizations. In addition, federal agencies can apply for Proposition 68 grants, and public utilities and mutual water

companies can apply for Proposition 1 grants. See Section 3.1 of this Solicitation for detailed information. Other entities that are not eligible for funding under this Solicitation may work as subcontractors for an eligible applicant.

Proposal Deadline

The complete proposal application and all supporting documentation must be submitted via the CDFW WebGrants System (https://watershedgrants.wildlife.ca.gov) by 4:00 PM, Pacific Daylight Time, on November 20, 2019.

Application Workshops

CDFW will schedule two online workshops to provide technical assistance with the application. Please see CDFW Proposition 1 and Proposition 68 Restoration Grant Programs websites for workshop details. Workshops will be recorded and made available online.

Contacts

For questions about this Solicitation please contact CDFW's Watershed Restoration Grants Branch by e-mail at WatershedGrants@wildlife.ca.gov.

This document, email list subscription information, and further information about the funding sources can be found at the CDFW websites for the Proposition 1 and Proposition 68 Restoration Grant Programs.

For questions regarding CDFW WebGrants, please contact the CDFW WebGrants Help

Desk at (916) 323-0477 or by e-mail at Prop1Webgrants@wildlife.ca.gov.

BORREGO WATER DISTRICT BOARD OF DIRECTORS MEETING NOVEMBER 12, 2019 AGENDA ITEM II.A.3

November 7, 2019

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Board Meeting Schedule for November and December 2019 – G Poole

RECOMMENDED ACTION:

Receive update and direct staff as deemed appropriate

ITEM EXPLANATION:

At the beginning of the year, the Board set a schedule with one meeting in November and one in December. Due to the timing of the release and public review of the planned Stipulation, the Board want to hold more than one meeting in November and December.

The Brown Act allows for Special Meetings to be called with 24 hour notice, and this process may be needed in November and December. Staff is requesting that the Directors have their calendars available at the meeting to discuss availability.

NEXT STEPS

Directors bring Calendars to meeting and provide availability during November and December

FISCAL IMPACT

1. None

ATTACHMENT

1. None

BORREGO WATER DISTRICT BOARD OF DIRECTORS MEETING NOVEMBER 12, 2019 AGENDA ITEM II.B.1

November 7, 2019

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Update on Release of Stipulated Agreement between Borrego Springs Pumpers – G Poole

a. Overview of how public input has been handled in other adjudicated basins

b. Discussion of Public Meeting Schedule and Structure for 30-day review period

RECOMMENDED ACTION:

Receive update and direct staff as deemed appropriate

ITEM EXPLANATION:

Stipulation Update: Final preparations continue on the detailed Stipulation documents. No specific release date has been set but a realistic estimate is within the week following the Board Meeting.

Overview of Public Input in Other Basins from Steve Anderson:

"Watermasters" are common to most groundwater basin judgments in California. The Watermaster is an entity (not an individual) that is an arm of the Court charged with implementation of the Judgment and the groundwater management plan. The Watermaster will have a 5-member board of directors and a small staff that will conduct day to day operations. Watermaster costs will be borne by pumpers, in proportion to how much water they pump.

The Watermaster Board will meet in public session at least quarterly. Just as with Borrego Water District meetings, Watermaster board meetings will be agendized in advance, and the public will be able to comment on agenda items and participate.

Neither SGMA nor the Judgment can or do change land use authority. Thus, the County remains in charge of all land use decisions in the Valley.

Decisions regarding the provision of water to new housing and other development will continue to be made by Borrego Water District (within its service area), to the extent that is done today. Of course, certain related issues, such as water transfers, will be accomplished according to the Judgment terms.

Discussion of Public Meetings:

Staff would like to have a discussion with the Board about the timing and structure of meeting(s) during the

30-day public review period. **NEXT STEPS TBD** FISCAL IMPACT N/A

ATTACHMENT

1. None